

Cross, Tim

From: angstepaul@cox.net
Sent: Wednesday, April 28, 2004 2:32 PM
To: plan; Carter, Mark; Cross, Tim; Parker, Amy; Anderson, Earl; Liscum, Phyllis
Subject: Re-zoning application # ZM 8504

This email is to voice my displeasure regarding the proposed re-zoning from rural residential to commercial the ten-acre parcel on Newman Road in York County, near the corner of Fenton Mill Road (application # ZM 8504).

I have been advised that this proposal goes against the York County Comprehensive Plan. Furthermore, commercial re-zoning would seriously impair the quality of life, property value and safety of the residents of the surrounding neighborhoods. There does not appear to be any compelling need for this re-zoning! I urge the York County Planning Commission to reject this proposal, hold to its own Comprehensive Plan, and stop the over-development of York County east of the I-64/199 intersection. Thank you.

Angela Paul
136 Riverview Plantation
Williamsburg, VA 23188

Angela & Steve Paul

Cross, Tim

From: gus dovi [jsara@widomaker.com]

Sent: Monday, May 31, 2004 7:59 PM

To: plan

Cc: andys@tni.net; heavnerva@aol.com; nbarba@aol.com; a.e.ptasznik@att.net; Zaremba, Walter C.; Noll, Sheila S.; Bowman, Ken; Burgett, Jim; Shepperd, Thomas

Subject: Opposition of ZM 8504

As a constituent of District 1, I wish to present my opposition for the proposed re-zoning. Please read the attached memo concerning ZM 8504.

Regards,
-Gus Dovi

149 Quaker Meeting House RD
Williamsburg, VA 23188

6/4/2004

Cross, Tim

From: Pearce and Rita Grove [pgrove@widomaker.com]
Sent: Tuesday, May 04, 2004 8:09 PM
To: Zaremba, Walter C.; Noll, Sheila S.; Bowman, Ken; Burgett, Jim; Shepperd, Thomas; plan; Carter, Mark; Cross, Tim; Parker, Amy; Anderson, Earl; Liscum, Phyllis; andys@tni.net; heavnerva@aol.com; nbarba@aol.com; a.e.ptasznik@att.net
Subject: Re-zoning

May 4, 2004

To: Members of the York County Planning Commission

And the York County Board of Supervisors

From: Pearce S. Grove

Subject: Proposed Re-zoning

The re-zoning proposal of land from residential to commercial development east of I-64 in northern York County is shocking to our residents in both York and James City Counties.

We are appalled that such a commercial encroachment is even being considered! Our family and neighborhood friends urge your denial of this request as quickly and firmly as possible. As a leader, we seek your support of our many residential communities that have evolved over some seventy years in this region of the two counties. Naturally, we are horrified to learn of self-interests now attempting to alter a region so well established.

York County's Comprehensive Plan spells out the residential commitment and should be upheld and self-interests clearly denied. We count on all county officials to support this outpouring of the needs and aspirations by families and other citizens in this large region.

Our request of you is straightforward. Allow no encroachment of commercial interests into our residential region, east of I-64.

Pearce S. Grove

143 Riverview Plantation Drive

Williamsburg, Virginia

6/4/2004

Cross, Tim

From: William F. Powell [wfpowell@crosslink.net]
Sent: Monday, May 03, 2004 1:08 PM
To: plan
Subject: Re: Rezoning Newman Road & Fenton Mill

----- Original Message -----

From: William F. Powell
To: planning@yorkcounty.gov
Sent: Monday, May 03, 2004 12:49 PM

Subject: Rezoning Newman Road & Fenton Mill

Dear Supervisor,

In reference to the rezoning of the 10 acres at Newman Road and Fenton Mill, I wish to make the following comments.

Unlike the nearby Wal-Mart, Lowes,(preposed Ukrops,Home Depot areas) this preposal is in the residential area of Banberry Cross which has just had a 30% real estate property tax increase. These values would be quickly reduced(particularly if Londonderry Lane was extended into the commercial complex).

As I live on Londonderry Lane ,I would persue a property tax reduction.

Newman Road is already a heavy traffic area , evan though the road was not designed for it.

Residential property east of highway 64 in this area violates with the county comprehinsive plan.

I respectfully request that you folks do not rezone this property.

THANKS
William f. Powell
171 Londonderry Lane
Williamsburg,va. York County 23188
wfpowell@crosslink.net

May 7, 2004

To: Amy Parker

Re: Proposed Rezoning of Property East of I-64 to Commercial

It has come to my attention that a proposal to rezone above mentioned property to commercial use has been placed before the York County Planning Commission for consideration on May 12. I join your neighbors in several adjacent residential communities in respectfully asking the Commission to deny the petition for the following reasons:

1. Extensive noise and pollution would result from the proposed commercial property.
2. Commercial buildings to a height of 40 feet, with lights and signs even higher, would destroy the character and quiet of adjacent residential properties.
3. Unnecessary traffic burden will result on Newman and Fenton Mill Roads, which are not designed to support heavy commercial traffic.
4. Resulting traffic congestion would be a safety issue in light of the fire station on Newman Road. Resulting traffic will significantly impair and impede public safety services in the entire upper York County and adjoining James City County areas.
5. Promises made by developers are unreliable and non-binding, and cannot be relied upon.

RECEIVED

MAY 10 2004

PLANNING DIVISION
COUNTY OF YORK

Rosalia C. Kief
140 Riverview Pl. Dr.
Williamsburg, Va. 23188

Cross, Tim

From: gdegraff [hdegraff@widomaker.com]

Sent: Friday, May 21, 2004 12:53 PM

To: Zaremba, Walter C.

Cc: Noll, Sheila S.; Bowman, Ken; Burgett, Jim; Shepperd, Thomas; plan; Carter, Mark; Cross, Tim; Parker, Amy; Anderson, Earl; Liscum, Phyllis; andys@tni.net; heavnerva@aol.com; nbarba@aol.com; a.e.ptaszniak@att.net

Subject: zoning

To: York County Board of Supervisors and
Planning Commission:

Please keep the Comprehensive Plan that is now in place for rural-residential. It was an excellent plan when you voted for it, and STILL IS.

We don't need additional burden on our:

- 1) water supply, which has enough problems already
- 2) fire department
- 3) police department
- 4) road systems
- 5) safety systems

There will be more light, environmental, and noise pollution.

Please do NOT rezone.

With regards,

Virginia, Henry, and Giles DeGraff
219 Cherwell Ct.
Banbury Cross

Dear Planning Division, 22 May 2004

Please keep the Comprehensive Plan that is now in place for rural-residential. It was an excellent plan when you voted for it and it still is.

We don't need additional burden on our

1. Water supply
2. Fire Department
3. Police Department
4. Road systems
5. safety systems
6. There will be more

light, environmental and noise pollution.

Please do not rezone on June 9th Please T Thank you -

Henry, Virginia and Giles Debraff
219 Cherwell Court
Banbury Cross
Williamsburg, Virginia 23188

Cross, Tim

From: Bjherr@aol.com

Sent: Monday, May 24, 2004 7:45 AM

To: plan; Carter, Mark; Cross, Tim; Parker, Amy; Anderson, Earl; Liscum, Phyllis

Subject: Re: Application ZM8504

Ladies and Gentlemen:

We would like to air our opposition to the proposed rezoning of the ten-acre parcel on Newman Road near the corner of Fenton Mill Road from Rural Residential to Commercial. This is against York County's Comprehensive Plan. To be able to rezone at the discretion of investors seems absolutely unfair to people who have purchased homes with the good faith intent of living in a secure environment without heavy traffic, bright lights and loud noises. It seems that some things should be as written, and not changed to suit the chase for the almighty dollar.

There are many of us who feel it is totally unfair to spring a change of a rezoning issue when the reason homes were bought in this area was for the peace and quiet of country.

We respectfully request that you oppose this rezoning issue.

Sincerely,
John and Betty Herringshaw
Banbury Cross Subdivision

6/4/2004

Cross, Tim

From: Thomas Hoyt [trhoyt@t-online.de]
Sent: Monday, May 24, 2004 12:38 PM
To: Cross, Tim
Subject: Please DO NOT rezone~ ref application #ZM8504

We definitely support this resolution of the homeowners association -- rezoning this parcel to commercial is not good for York County.

RESOLUTION OF THE BANBURY CROSS HOMEOWNERS ASSOCIATION
April 20, 2004.

We, the board of the Banbury Cross Homeowner s Association, respectfully ask the York County Planning Commission to reject **application # ZM 8504**, the proposed re-zoning of the ten acre parcel on the corner of Fenton Mill Road and Newman Road from rural residential to commercial to be heard by the York County Planning Commission at 7:00 PM on May 12 at the Old Court House, 310 Main Street, Yorktown

This proposal is against the County's own comprehensive plan. It would seriously impair the quality of life, property value and safety of the surrounding neighborhoods where we live. There is already adequate space allocated for commercial development in this area, and there is absolutely no compelling need for the re-zoning of residential land. We urge the York County Planning Commission to **reject this proposal**, hold to its own Comprehensive Plan, and express its opposition to the over-development of York County east of the I-64/199 intersection.

We believe that it is not in the interest of York County to violate its own comprehensive plan, particularly since this would have such far-reaching negative effects on so many of its citizens. We ask that our voices be heard.

Sincerely,

Banbury Cross Homeowners Association

Resolution unanimously passed by the Board, April 20, 2004.

SIGNED BELOW TO SHOW SUPPORT AGAINST RE-ZONING application # ZM 8504.

[SIGNED]
**Thomas R. Hoyt & Laura L. Tucker **
108 Cherwell Ct, Williamsburg, VA 23188
Phone (757)253-1754

Oppose ZM 8504

Date: 5/28/2004

To: York County Planning Commission

Cc: York County Board of Supervisors, Environmental Planning Commission (EPA),
Citizens of the Surrounding Communities

From: Gus Dovi (e-mail: jsara@widomaker.com)

RE: ZM 8504

Priority: [Urgent]

I have been a resident of Old Quaker Estates, York County, Virginia for over 22 years. I enjoy living in this community and am very protective of it. I am an engineer employed by the Raytheon Co. at the NASA Langley Research Center. I have attempted to list pros and cons [as I perceive them] of this rezoning issue to be brief. I perceive no need for this rezoning except for the gain of a potential developer. It is not at the request/interest of the surrounding residents. We have enough commercial development across the interstate and this type of development must be kept separated from our established communities.

<u>CONS</u>	<u>PROS</u>
Transforming land to a commercial strip with a gas-station on the east side of I64	Increased taxable income for York County
Constant worry of our healthy well water systems	Suits the potential buyer's contingency that the land is re-zoned commercial.
Potential stress to the wetlands and wildlife that run between Banbury Cross and Old Quaker Estates	
Increase in the amount of unwelcome traffic and may require traffic-lights/modification to roads	
Increased sheriff's protection required	
Change to our quality of life	
Contrary to the York County Comprehensive Plan	

Cross, Tim

From: Dallas Branch [DALTOB@msn.com]
Sent: Monday, May 31, 2004 4:55 PM
To: Zaremba, Walter C.; Noll, Sheila S.; Bowman, Ken; Burgett, Jim; Shepperd, Thomas; plan; Carter, Mark; Cross, Tim; Parker, Amy; Anderson, Earl; Liscum, Phyllis; andys@tni.net; heavnerva@aol.com; nbarba@aol.com; a.e.ptaszniak@att.net
Cc: Jack Hamilton
Subject: rezoning proposal # ZM 8504

Dear Mr. Zaremba, and members of the York County Board of Supervisors and Planning Commission:

My husband and I live in the peaceful North end of York County in Banbury Cross. We are strongly against the proposed rezoning for commercial development of the 10 acre parcel between Fenton Mill Road and the Mormon Church.

We have lived here for 10 years, having moved from the Jamestown Road area. This community attracted us because it was away from commercial development while having convenient access to stores, restaurants, the Colonial areas, etc. Despite being within two miles of I-64, the noise and traffic of the business areas seem much farther off.

Yes, the properties adjacent to I-64, with ease-of-access and egress are prime targets for commercial development. Minimal capital and maximum profit for the developer. In this case, the obvious concern for 64 Associates is also to minimize their upfront cost for land.

There are still plenty of sites in this area for development - up and down Mooretown Road, in particular. Several years ago, this same parcel was eyed for a batting cage/driving range business - which is now located on Rochambeau Drive and appears to be doing quite well (still generating tax dollars for the county).

Then, too, came the suggestion of a school in the general vicinity. Williamsburg Christian Academy is now in upper James City County, next to another school, but away from neighborhoods. I occasionally drive past it on my way home from West Point, and am happy that the traffic and noise are not wafting across our rec area during the week.

The county will not suffer tax losses if this area is not rezoned; residential development on these parcels could work but these folks area not interested in putting the money in to it to develop it properly. They don't live here, and are simply looking for a quick buck. Fenton Mill Road actually buffers I-64, and the lay of the land also helps minimize noise from there. There are plenty of high-dollar homes along Route 199, from which their owners can see the highway, but they had no problems selling those. In this case, trees, hills and another road offer plenty of buffer for homes.

A convenience store, gas station, restaurant will all bring not community traffic but transient traffic from the interstate. And crime will undoubtedly follow. We already have plenty of folks turning around in our driveway looking for the Pottery and Prime Outlets because of no signs on the interstate. These stop-and-go businesses will only bring more of the same and then some. The ability of children in the neighborhoods of Skimino Hills and Banbury to play safely out in the neighborhoods will be serious diminished. Traffic problems and accidents will be common occurrences.

Eventually, when all other land is used up, and traffic is pushed to the brink on Routes 17 and 30, and on I-64, and there is money in VODT's coffers for the next upper York crossing - maybe that will be the time for limited development on this side. Please allow us to enjoy our homes and our communities for the reasons we moved here. Please keep commercial development on the other side of the interstate. Thank you.

Sincerely,

Tobi and Dallas Branch

PETER M. MELLETTE

125 Cherwell Court
Williamsburg, Virginia 23188

June 1, 2004

Via E-Mail: andys@tni.net

Mr. Andrew A. Simasek
York County Planning Commission
301 Royal Grant Drive
Williamsburg, Virginia 23185

***Re: Rezoning Proposal, Tax Parcel 002 9A, GPIN C20B-3184-2547
and Tax Parcel 002 9A, GPIN C20B-3696-2909***

Dear Mr. Simasek:

On June 9, 2004, the Planning Commission will review the above-referenced proposal to rezone property along Newman Road, on the northeast side of Interstate 64. I encourage you to vote against this proposal. It is not in conformance with the current uses of the property, nor is it consistent with County comprehensive planning.

The proposed rezoning, proffered by 64 Enterprises, LLP, is a precondition to the acquisition of the parcel. The property is now zoned rural residential and is currently used for residential housing. The parcel is adjacent to Banbury Cross subdivision and would share road access through Banbury Cross to a new neighborhood, the Oaks at Fenton Mill. The general business uses of the property would be inconsistent with the residential character of adjacent properties. In addition to a Newman Road turn-in, access to commercial property would occur through both neighborhoods, mixing residential and commercial traffic.

64 Enterprises, LLP's proposal is simply that – a proposal. The plans that have been offered only hint at what may occur under another developer's watch. I am concerned that none of the proffers will be placed in deeds and may not be sufficiently restrictive to limit the property development to development that is consistent with the existing rural residential character.

There are also public safety concerns. It appears that the primary entrance to the development will be across from the existing fire station. This means that the additional commercial traffic may further hamper the timely arrival of fire and rescue vehicles to Upper York County homes and businesses. There are currently no stop light or other traffic control measures in place on Newman Road; given the tourist traffic to existing campgrounds and increasing residential traffic to neighborhoods, development of commercial properties in this location could put citizens at risk.

PETER M. MELLETTE

June 4, 2004

Page 2

Most importantly, residents of the existing neighborhoods do not want to have the property rezoned. There is no public support for this proposal and significant public opposition.

For the above reasons, the York County Planning Commission should vote to deny 64 Enterprises, LLP's request for rezoning of the above parcel. Thank you for your time and consideration of these matters.

Sincerely,

Peter M. Mellette

PMM/k

Cc: Mr. Walter C. Zaremba *Via E-mail: zaremba@yorkcounty.gov*

Mr. Timothy C. Cross *Via E-mail: tcross@yorkcounty.gov*

Mr. J. Mark Carter *Via E-mail: carterm@yorkcounty.gov*

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Cross, Tim

From: Carter, Mark
Sent: Tuesday, June 01, 2004 7:44 AM
To: Cross, Tim
Subject: FW: Protect my home

-----Original Message-----

From: BARBAHUDGI@cs.com [mailto:BARBAHUDGI@cs.com]
Sent: Monday, May 31, 2004 4:36 PM
To: Zaremba, Walter C.
Cc: Carter, Mark; andys@tni.net
Subject: Protect my home

I was so sorry to read that developers are trying to come in and build commercially near our neighborhood on Fenton Mill Road. Please, I beg of you not to approve of any commercial development there. When Walt Zaremba came to my door, probably 7 years ago while he was first campaigning for his Supervisor job, he asked me what was my main concern about York County. I told him that I was worried mostly about any more development around our home. He told me he thoroughly understood and would try his best to keep our neighborhood as quiet and private as it is. That is why I have continued to vote for him. Please, Walt, don't let my son and I down. Our home is all we have.

Thank you,
Barbara and Ryan Hudgins
113 Nina Circle
Skimino Hills Neighborhood

6/4/2004

Cross, Tim

From: Juliann J. Gumulak-Smith [jjgumu@wm.edu]
Sent: Wednesday, June 02, 2004 8:32 AM
To: zaremba@yorkcounty.govzaremba@yorkcounty.gov; Noll, Sheila S.; Bowman, Ken; Burgett, Jim; Shepperd, Thomas; plan; Carter, Mark; Cross, Tim; Parker, Amy; Anderson, Earl; Liscum, Phyllis; andys@tni.net; heavnerva@aol.com; nbarba@aol.com; a.e.ptaszniak@att.net
Subject: Against Re-zoning of residential to commercial property east of 64, application # ZM 8504

Dear Board of Supervisors and Planning Commission:

I am writing in regards to the application ZM 8405 which would re-zone the rural residential property on Newman road near Fenton Mill to commercial. I am unable to attend the meeting on June 9th and wanted to state my objections to this re-zoning proposal.

I have lived in many states in my life and what is unique about this area is the small town feel of the community and the surrounding areas. Developing this property would take away this uniqueness and make this area just like any town in America. I understand the need to bring additional revenue to the county but why not limit the development to west of 64. Additional reasons not to develop this area are: it violates York county comprehensive plan, traffic burden to that area, and noise pollution.

Please reject the proposal to change the land from residential to commercial property and keep Williamsburg a truly unique place to live.

Thank you for your time,

Juliann J. Gumulak-Smith
Banbury Cross resident

Cross, Tim

From: Connie Lee [conniehere@cox.net]
Sent: Wednesday, June 02, 2004 1:17 PM
To: plan; Zaremba, Walter C.
Subject: Proposed Rezoning of Newman Road parcel

Dear Mr. Zaremba and York County Planning Division:

I am a resident of Old Quaker Estates, and I am writing to express my support for the proposed rezoning of the 10 acre parcel on Newman Road owned by 64 Enterprises. I believe that the owners have been more than responsible in involving the surrounding neighborhoods and in developing a very sensitive proffer. I have only one reservation - I would prefer that the master plan not include the possibility of a hotel. I believe that having 24 hour occupancy of the property would lead to security concerns in the surrounding community. Please consider removing this possibility from the proffer.

Thanks very much,

Connie Lee
107 Quaker Meeting House Road
Williamsburg, VA 23188
757-345-0711

Reasons not to rezone property at corner of Fenton Mill rd and Newman Rd.

Foremost it violates the York County Comprehensive Plan.

There is no reason to put Commercial property on the east side of I-64,

Commercial property should stay on the West side of I-64, Money is the sole reason for putting commercial property East of I-64.

I moved to this location due to its rural residential qualities, if you put commercial property at my back door you have degraded this quality. Traffic burden will cause all kinds of problems, including a increase in accidents. I would expect to see a decrease in property values due to the decrease in desirability of the properties in the proximity of these commercial properties, as a result a decrease in property taxes.

Carey & Carolyn Adams
105 Quaker Mtg. Hse. Rd.

APPLICATION CONTACT LOG

APPLICATION NUMBER: ZM-85-04
APPLICANT NAME: 64 Enterprises, LLP

DATE	NAME ADDRESS PHONE #	COMMENT
4/19/04	Dana Jo Robichaux 105 Cherwell Court Williamsburg 23188	Opposes the application, citing the Comprehensive Plan, what she believed was the potential for commercial access to Londonderry Lane, and a concern that promises made by the developer will not be kept if he sells the property to another developer.
6/7/04	Fred Richmond 215 Cherwell Court Williamsburg 23188	Opposes the application. Feels that since the Comprehensive Plan prohibits the expansion of industrial uses at the southern end of Fenton Mill Road (near Barlow Road) into the surrounding residential area, then the same should apply to the northern end near Newman Road. Commented that denying the application would harm no one, whereas approval would, in his opinion, harm the local residents.
6/8/04	John and Ethel Argus 135 Londonderry Lane Williamsburg 23188	Are opposed to the application. They moved to Banbury Cross for the peace and quiet.